

# Government of Ireland (Amendment) Bill. [H.L.]

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## ARRANGEMENT OF CLAUSES.

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Clause.

1. Position of excluded area.
2. Effect of exclusion on constitution of Irish House of Commons, and on representation of Ireland in United Kingdom House of Commons.
3. Re-arrangement of constituencies.
4. Finance.
5. Judicial power.
6. Reserved matter.
7. Amendment of provisions as to the Royal Irish Constabulary and police.
8. Existing officers.
9. Consequential alterations of construction of Government of Ireland Act, 1914.
10. Extension of power to make Irish transfer orders.
11. Commission on constitutional relations of Ireland to other parts of United Kingdom.
12. Saving for persons in excluded area.
13. Interpretation, short title, and construction.



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B I L L

INTITLED

An Act to amend the Government of Ireland Act, 1914. A.D. 1914.

[NOTE.—The words enclosed in brackets and underlined are proposed to be inserted in Committee.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5 1.—(1) The Government of Ireland Act, 1914, shall not apply to the excluded area as hereinafter defined.

Position of  
excluded  
area.

(2) In this Act the expression "the excluded area" means the province of Ulster.

(3) The executive power of His Majesty the King as regards  
10 all public services in connexion with the administration of civil government in the excluded area shall be exercised on behalf of His Majesty by a Secretary of State through such officers and departments (not being officers or departments exercising executive power delegated under the Government of Ireland Act,  
15 1914) as His Majesty may by Order in Council direct, and that Order in Council may provide for the constitution of any new department or departments or offices for the purpose, and for the discontinuance of any Irish department existing at the time of the passing of this Act.

(4) Before any Order in Council is made under this section the  
20 draft thereof shall be laid before both Houses of the Parliament of the United Kingdom, and if either of those Houses within the next subsequent twenty-one days on which that House has sat next after any such draft is laid before it, presents an  
25 address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon without prejudice to the making of any new draft order.

[Bill 326]

A 2

A.D. 1914.

Effect of  
exclusion on  
constitution  
of Irish  
House  
of Commons,  
and on  
representa-  
tion of Ire-  
land in  
United  
Kingdom  
House of  
Commons.

2. The following provisions shall have effect with reference to the constitution under the Government of Ireland Act, 1914, of the Irish House of Commons and with reference to the representation under that Act of Ireland in the United Kingdom House of Commons:—

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- (a) Members shall not be elected to the Irish House of Commons for constituencies forming part of the excluded area, and the number of members of that House shall be reduced accordingly; and
- (b) Every parliamentary constituency which forms part of the excluded area shall continue to be a parliamentary constituency returning a member to serve in the Parliament of the United Kingdom, and so much of the Government of Ireland Act, 1914, as provides that members returned by constituencies in Ireland shall vacate their seats at the first meeting of the Irish Parliament shall not apply to members for those constituencies; and
- (c) Subsection (1), section thirteen of the Government of Ireland Act, 1914, shall be read as if the number forty-two therein inserted were diminished by the total number of members allotted by Part II. of the First Schedule to the Government of Ireland Act, 1914, to the counties and boroughs forming part of the excluded area; and
- (d) Part II. of the First Schedule to the Government of Ireland Act, 1914, shall be read as if any county or borough which forms part of the excluded area were omitted therefrom.

Re-arrange-  
ment of con-  
stituencies.

3. The constituencies contained in the first part of the First Schedule to the Government of Ireland Act shall be re-arranged, with due regard to population, in such a manner that each constituency with the exception of Dublin University shall return not less than three members.

FINANCE.

4.—(1) In ascertaining the cost of Irish services the Joint Exchequer Board shall in the first place determine that cost for the whole of Ireland, and then divide the sum as so ascertained with respect to the whole of Ireland between the excluded area and the rest of Ireland in proportion to population subject to any adjustment which the Board may think necessary in order to assign to the excluded area or to the rest of Ireland the 40

actual cost of any Irish service in that area, or in the rest of Ireland where that actual cost can be definitely ascertained. A.D. 1914.

[(2) Any charge on the Consolidated Fund of the United Kingdom for Irish services, including any charge for the benefit of the Local Taxation (Ireland) Account, or any grant or contribution out of moneys provided by the Parliament of the United Kingdom, shall, so far as respects public services in connexion with the administration of the civil government of the excluded area, be continued, and any charge on the Guarantee Fund for sums and arrears arising under the Irish Land Purchase Acts shall, so far as respects sums and arrears in the excluded area, be similarly continued.]

(3) Nothing in this Act shall prevent the transfer to the Irish Government of the Irish Church Temporalities Fund, nor prevent any fund which is applicable for any Irish services being managed, administered, or disposed of by the Irish Government: Provided that such provision is made as the Joint Exchequer Board may direct for the payment out of the fund of any expenses incurred in the excluded area, and properly payable thereout.

[(4) The sum of eighteen thousand pounds payable annually for the purposes of the Queen's University of Belfast under the Irish Universities Act, 1908, shall be paid in accordance with that Act and not out of moneys provided by the Irish Parliament.]

8 Edw. 7.  
c. 38.

5. The provisions of the Government of Ireland Act, 1914, with respect to the appointment of judges in Ireland and their tenure of office, and substituting for the appeal to the House of Lords from courts in Ireland, an appeal to the Judicial Committee of the Privy Council shall not have effect, and all judges of the Supreme Court or other superior court in Ireland, or of any county court or other court with a like jurisdiction in Ireland shall, after the appointed day, be appointed by His Majesty, and shall hold office by the same tenure as that by which the office is held at the date of the passing of the Government of Ireland Act, 1914, and the existing appeal from courts in Ireland to the House of Lords shall continue as at that date.

Judicial  
power.

[6. The general subject matter of the Land Law (Ireland) Acts shall be included among the reserved matters as defined

Reserved;  
matter.

A.D. 1914. in paragraph 12 of section two of the Government of Ireland Act, 1914.

Amendment of provisions as to the Royal Irish Constabulary and police.

7.—(1) Subsection (1) of section five of the Government of Ireland Act, 1914, shall not have effect, and the provisions of that Act relating to the transfer to the Irish Government of the control and management of the Royal Irish Constabulary are hereby repealed. 5

(2) The Lord Lieutenant acting on the advice of an Irish Minister shall be responsible for the control and management of the Dublin Metropolitan Police. 10

Existing officers.

8.—(1) The provisions of the Government of Ireland Act, 1914, as to existing Irish officers shall not apply—

(a) to officers in the civil service of the Crown who, at the time of the passing of this Act, are solely employed in public services in the excluded area; or 15

(b) to officers in the civil service of the Crown who are allotted to the excluded area by the Civil Service Committee under this section.]

(2) The Civil Service Committee shall allot to the excluded area such number of officers in the civil service of the Crown not solely employed in public services in the excluded area as they think proper, having regard to the requirements of the excluded area as compared with those of the rest of Ireland, and shall decide which of the officers employed at the time of the passing of this Act in that service are to be so allotted, having regard to the suitability of the officer with respect to the service, and any officers so allotted to the excluded area shall not be transferred to the Irish Government. 20 25

Consequential alterations of construction of Government of Ireland Act, 1914.

9.—(1) The following general alterations, consequential on this Act, shall be made in the construction of the Government of Ireland Act, 1914:— 30

(a) the words "Ireland" and "Irish" shall be construed unless the context otherwise requires as not including the excluded area; and

(b) any transfer of a reserved service from the Government of the United Kingdom to the Irish Government shall not have effect in the excluded area. 35

Extension of power to make Irish

10. The power of His Majesty to make Irish transfer orders shall be extended so as to include power to make such adaptations

of enactments and such provision with respect to the transfer and apportionment of property, rights, and liabilities, and such other provisions as may appear to him necessary for the purpose of dealing with the government of the excluded area, and with the relations between the excluded area, the rest of Ireland and Great Britain.

A.D. 1914.  
transfer  
orders.

11. Notwithstanding any provision in the Government of Ireland Act, 1914, to the contrary, His Majesty may by Order in Council suspend the operation of the Act until a commission shall have reported on the constitutional relations of Ireland to the other parts of the United Kingdom.

Commission  
on constitutional  
relations of Ire-  
land to other  
parts of  
United  
Kingdom.

12. Nothing in the Government of Ireland Act, 1914, or in this Act shall take away or prejudicially alter or affect the powers, rights, privileges, or immunities of any person in the excluded area.

Saving for  
persons in  
excluded  
area.

13.—(1) In this Act the expression "Government of Ireland Act, 1914," means any Act passed in the present session to amend the provision for the government of Ireland, and this Act shall not have effect unless such an Act is passed.

Interpre-  
tation, short  
title, and  
construction.

(2) This Act shall be construed as one with the Government of Ireland Act, 1914, and may be cited as the Government of Ireland (Amendment) Act, 1914.

